

231.26 Pushcars.

231.27 Box and other house cars without roof hatches or placed in service after October 1, 1966.

231.28 Box and other house cars with roof hatches built or placed in service after October 1, 1966.

231.29 Road locomotives with corner stairways.

231.30 Locomotives used in switching service.

APPENDIX A TO PART 231—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 45 U.S.C. 2, 4, 6, 8, 10, and 11-14, 16, as amended; 45 U.S.C. 431, 438, as amended; 49 app. U.S.C. 1655(e), as amended; Pub. L. 100-342; and 49 CFR 1.49(c), (g), and (m).

SOURCE: 33 FR 19663, Dec. 25, 1968, unless otherwise noted.

NOTE: Where rivets or bolts are required in this part 231 a two-piece steel rivet may be used consisting of:

(a) A solid shank of one-half (1/2) inch minimum diameter steel or material of equal or greater strength having cold forged head on one end, a shank length for material thickness fastened, locking grooves, breakneck groove and pull grooves (all annular grooves) on the opposite end.

(b) A collar of similar material which is cold swaged into the locking grooves forming a head for the opposite end of item (a) after the pull groove section has been removed.

§ 231.0 Applicability and penalties.

(a) Except as provided in paragraph (b), this part applies to all standard gage railroads.

(b) This part does not apply to:

(1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation; or

(2) Rapid transit operations in an urban area that are not connected with the general railroad system of transportation.

(c) As used in this part, *carrier* means "railroad," as that term is defined below.

(d) *Railroad* means all forms of non-highway ground transportation that run on rails or electromagnetic guideways, including (1) commuter or other short-haul rail passenger service in a metropolitan or suburban area, and (2) high speed ground transportation systems that connect metropolitan areas, without regard to whether they use new technologies not associated with

traditional railroads. Such term does not include rapid transit operations within an urban area that are not connected to the general railroad system of transportation.

(e) Any person (including a railroad and any manager, supervisor, official, or other employee or agent of a railroad) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$250 and not more than \$10,000 per violation, except that: penalties may be assessed against individuals only for willful violations, and, where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty not to exceed \$20,000 per violation may be assessed. Each day a violation continues shall constitute a separate offense. See appendix A to this part for a statement of agency civil penalty policy.

[54 FR 33229, Aug. 14, 1989]

§ 231.1 Box and other house cars built or placed in service before October 1, 1966.

Except for box and other house cars that comply with either § 231.27 or § 231.28, each box and other house car shall be equipped to meet the following specifications:

(a) *Handbrake*—(1) *Number*. One efficient handbrake which shall operate in harmony with the power brake installed on the car. Each such handbrake shall (i) provide the same degree of safety as the design shown on plate A, or (ii) provide the same degree of safety as that specified in § 231.27.

(2) *Dimensions*. (i) The brake shaft shall be not less than 1 1/4 inches in diameter, of wrought iron or steel without weld.

(ii) The brake wheel may be flat or dished, not less than 15, preferably 16, inches in diameter, of malleable iron, wrought iron, or steel.

(3) *Location*. (i) The hand brake shall be so located that it can be safely operated while car is in motion.

(ii) The brake shaft shall be located on end of car, to the left of and not less than 17 nor more than 22 inches from center.